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ABSTRACT

An analysis of data concerning unionization among college faculty during 1988 is presented. The following topics are discussed: (1) agents elected; (2) American Federation of Teachers; (3) National Education Association; (4) American Association of University Professors; (5) "no-agent" elections; (6) decertifications; (7) strikes; (8) legislation; (9) demographics; (10) first contract signing by four institutions; and (11) faculty work stoppages. Overall results included the following: Modest increases were reported in every category of faculty unionization; the three national unions had little success in organizing new faculty bargaining units; and no unrepresented unit of tenure-stream, full-time faculty elected collective bargaining. Trends are also examined, including the impact of the Yeshiva decision on public and private colleges. Tables summarize election data, faculty work stoppages in 1988, "back-to-school" strikes, 1977-88, and faculty work stoppages, 1966-88. (KM)

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UNIONIZATION AMONG COLLEGE FACULTY-1989

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NEWSLETTER
NATIONAL CENTER FOR THE STUDY OF COLLECTIVE BARGAINING IN HIGHER EDUCATION AND THE PROFESSIONS
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Unionization Among College Faculty-1989

INTRODUCTION

Increases were reported in every category of faculty unionization and although they were modest, they indicate a continued acceptance of the collective bargaining process on our nation's colleges and universities. From a "statistical vantage point", the data reflects the following increases; a) 2.15 percent in the number of recognized faculty bargaining agents from 466 in 1987 to 476 in 1988, b) 4.38 percent in the number of negotiated collective bargaining agreements from 434 in 1987 to 453 in 1988, c) 6.18 percent in the number of faculty covered by collective bargaining agreements from 213,763 in 1987 to 226,875 in 1988. The number of organized campuses decreased by one from, 1028 to 1027. With the exception of campuses, the numbers in each category reflect the highest totals since the National Center began compiling this data in 1974.

Four new agents were elected, however, none involved full-time, tenure-track faculty in the primary teaching programs of colleges and universities. Two of the new units consist of professional staff, another is comprised of visiting and part-time lecturers while the fourth contains faculty in a foreign language institute at Western Michigan University. The lack of any new units among full-time, tenure-track faculty is illustrative of both an organizing problem, as well as a shift in direction and priorites of the three national faculty organizations.

As we have noted in past years, the vast majority of union organizing efforts continues to be directed towards the public sector. Of the 16 elections held during 1988, only two were private institutions. In one of these a "change in agent status" was involved, while in the other, the ballots have been impounded. The number of recognized bargaining agents stands at 406 in public and 70 in private colleges.

In the absence of any newly organized faculty bargaining units, the Center is often asked to explain how any growth can occur. Our response is based on several factors which must be noted when analyzing this data. First, the reporting procedures used by both labor and management in their summaries and updates to us have been constantly improving thereby reflecting fewer agents and contracts in the unreported category. Second, the time lag in identifying newly formed independent locals remains. Therefore, it is possible in a year when no new agents were elected, for our statistics to show a modest increase due to delayed reporting by independents. Third, variations are also reflected in the increase in reported numbers of faculty covered by collective bargaining agreements. This year's increase of 6.18 percent is due primarily to institutions reporting larger unit sizes, not to organizing new faculty bargaining units.

AGENTS ELECTED

Sixteen bargaining agent elections were held in 1988. None of these, however, resulted in the election of a bargaining unit of full-time, tenure-track faculty although the results of one election is still pending. The number of newly elected agents was four. This includes the visiting and part-time lecturers unit at Rutgers University, the foreign language association faculty of Western Michigan University, and the professional staff at the City Colleges of Chicago, Illinois, and William Rainey Harper College, Illinois. Four "change of agent status" elections were held, each of which resulted in the election of a new agent. An analysis of faculty union organizing and agent elections follows:

AFT

The American Federation of Teachers and their local affiliates were involved in nine elections, winning two and losing five, while the results in two are pending. New AFT locals include the professional

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staff at City Colleges of Chicago and William Rainey Harper College. At both of these institutions the AFT also represents faculty bargaining units. At the City Colleges of Chicago, the AFT defeated "No Agent" by a vote of 114-1 for representation rights for a unit of 182 professional staff members. At William Rainey Harper College, the AFT defeated "No Agent" by a vote of 44-31 for representation rights for a unit of 90.

The AFT was defeated by the UFF/NEA at Palm Beach Community College and was unsuccessful in retaining the bargaining rights for a unit of 194 faculty. The AFT was also unsuccessful in attempting to organize the adjunct faculty in the Connecticut Technical College System. In that election, they lost the unit of 122 by a vote of 46 for "No Agent" to 35 for the AFT.

The AFT was involved in five elections at Southern Illinois University at Carbondale (SIUC) and Edwardsville (SIUE). The AFT/AAUP coalition was defeated at SIUE for representation rights for a unit of 987 faculty by a vote of 588 for "No Agent", 224 for NEA, while the AFT/AAUP obtained 175 votes. In another election at Carbondale, the AFT/AAUP was defeated for representation rights for a unit of 225 administrative and professional staff. "No Agent" received 121 votes, NEA 74, and the AFT/AAUP received 30. At Southern Illinois University-Edwardsville, the AFT/AAUP was defeated for representation rights for a unit of 482 faculty. The results of that election are pending and a run-off election has been scheduled between "No Agent" who received 189 votes and the NEA who received 128 votes. In an election for representation rights for the administrative and professional staff at Edwardsville, the ballots for the 225 person unit have been impounded by the Illinois Labor Relations Board. In a third election at Edwardsville, "No Agent" defeated the NEA and AFT at the Dental School. The 42 person unit voted 27 for "No Agent", 15 for NEA and 0 for AFT/AAUP.

The AFT and their affiliates represent faculty at 137 colleges and universities. This includes 114 public institutions and 23 private institutions. Of these 46 are four-year colleges while 91 are two-year colleges.

NEA

The National Education Association and their local affiliates were involved in nine elections, winning two and losing five, while the results of two are pending. The two new faculty units are Colby Community College in Kansas and Palm Beach Community College in Florida. In both of these institutions existing bargaining units voted to change their affiliation to the NEA. At Colby, an NEA/Independent coalition defeated an Independent by a vote of 31-6 for representation rights for a unit of 51 faculty. At Palm Beach, the 194 members of the bargaining unit will now be represented by a UFF/NEA coalition instead of the AFT, the previous bargaining agent.

The NEA faculty local at Marymount University in Virginia chose to disaffiliate itself with the NEA by a vote of 17-0 in favor of the AAUP. That local represents 51 faculty members. In an election to represent the faculty at Grand Valley College in Michigan, "No Agent" received 152 votes to 65 for the NEA. This was the fifth time that the NEA tried to organize the faculty at Grand Valley State.

In the elections at Southern Illinois University-Carbondale and Edwardsville, the NEA was defeated in three, while the results of two are pending. At SIUC, the NEA lost to "No Agent" by a vote of 588-224 for a unit of 987 faculty. The AFT/AAUP received 175 votes. For the 225 person administrative and professional staff unit at SIUC, the NEA was defeated by "No Agent" by a vote of 121-74. The AFT/AAUP received 30 votes. The results of two elections at SIUE are pending. For the SIUE 482 person faculty unit, a run-off election has been scheduled between "No Agent" which received 189 votes and the NEA which received 128 votes. The AFT/AAUP received 123 while 11 ballots were challenged. The Illinois Labor Relations Board impounded the votes for the administrative and professional staff unit of 225. On that ballot were AFT, NEA and "No Agent". The NEA was defeated in an attempt to organize the 42 person bargaining unit at SIUE's Dental School. "No Agent" received 27 votes, NEA 15 and AFT/AAUP 0.

The NEA and their affiliates currently represent faculty at 224 institutions. These include 210 public colleges and 14 private colleges. Of these, 33 are four-year colleges, while 191 are two-year institutions.

AAUP

The American Association of University Professors was involved in nine elections, winning four and losing three. The results of two are pending. At Rutgers State University, the AAUP defeated "No Agent" by a vote of 308-77 for bargaining rights for a unit of 450 visiting and adjunct lecturers. At Western Michigan University, the AAUP defeated "No Agent" for the right to represent the six person unit at the University's Language Institute. At Lewis and Clark University, the AAUP and "No Agent" were on the ballot for representation rights for a unit of 75 faculty. Due to ongoing Yeshiva litigation, the votes of the election have been impounded by the NLRB. At Marymount University, Virginia, the 51 person faculty unit voted to change their existing affiliation from NEA to AAUP by a vote of 17-0. In another "change of agent status", the 215 person unit at New Jersey Institute of Technology voted to affiliate with an AAUP independent coalition instead of remaining Independent by a vote of 130-46.

In the elections at Southern Illinois University-Carbondale and Edwardsville, the AAUP entered into a coalition with the AFT. The coalition was defeated for the right to represent the 987 member faculty bargaining unit at Carbondale by a

vote of 558 for "No Agent", 224 for NEA, and 175 for the AFT/AAUP. That same coalition was defeated in an attempt to represent the 225 person administrative and professional staff unit at Carbondale by a vote of 121 for "No Agent", 74 for NEA and 30 for the AFT/AAUP. At SIU-Edwardsville, the election results to represent the 482 person faculty unit are pending. The AFT/AAUP did not, however, receive sufficient votes to be on the run-off ballot. The initial election results were 189 for "No Agent", 128 for the NEA with 123 for the AFT/AAUP. Eleven ballots in that election were challenged. In the vote to represent the faculty at SIUE-Dental School, "No Agent" received 27 votes, NEA 15 and the AFT/AAUP 0.

The AAUP and their affiliates represent faculty at 44 colleges and universities. This includes faculty at 26 public institutions and 18 private. Of these, 40 are four-year colleges and four are two-year institutions.

"NO-AGENT" ELECTIONS

There were five elections reported in 1988 in which employees elected "No Agent" instead of collective bargaining. Three of these involved units at Southern Illinois University at Carbondale and at Edwardsville. At Carbondale, the faculty preferred "No Agent" over the NEA and AFT/AAUP by a vote of 588 to 224 to 175. Similar results were found in the administrative professional staff unit at Carbondale where "No Agent" defeated NEA and the AFT/AAUP by a vote of 121 to 74 to 30. At SIU-Edwardsville, the Dental School faculty selected "No Agent" over the NEA and AFT/AAUP by a vote of 27 to 15 to 0. "No Agent" was on the ballot at Edwardsville for both the faculty and administrative professional staff units, however, the results of those elections were pending with run-offs scheduled for 1989. At Grand Valley State University, "No Agent" defeated the MEA in a faculty representation election, 152-62. In the Connecticut Technical College System, a bargaining unit of adjunct faculty elected "No Agent" over the AFT by a vote of 46 to 35.

The following institutions also conducted bargaining unit elections in which "No Agent" was on the ballot but was defeated by one or more agents; City College of Chicago, Rutgers State University, Western Michigan University, William Rainey Harper College and Colby Community College.

DECERTIFICATIONS

Only one decertification of a faculty bargaining unit was reported in 1988. The NEA bargaining unit at the University of Dubuque was decertified as a result of Yeshiva litigation. The National Labor Relations Board held that the faculty at Dubuque were managerial and therefore, not entitled to bargain collectively under the protection of the National Labor Relations Act. (See Case no. 33-UC-98, 289 NLRB 34 (1988)), (128 LRRM 1259).

STRIKES

The were four reported faculty works stoppages in 1988. This relatively low incidence of strike frequency is consistent with national trends toward decreases in work stoppages. The average mean length of the four faculty strikes was seven days. Set forth below are the institutions, size of faculty unit, faculty agent, and length of strike for each reported stoppage.

1. Lower Columbia College, WA: 82 full-time faculty, Ind., 2-days
2. Hofstra University, NY: 700 full- and part-time faculty, AAUP, 9-days
3. Middlesex County College, NJ: 250 full-time faculty, AFT, 3-days
4. Wayne State Univ., MI: 1,452 full- and part-time faculty, AAUP, 14-days

LEGISLATION

There was no reported new faculty collective bargaining legislation enacted during 1988. The number of states with enabling legislation for CBHE is now 27. An additional three states allow faculty collective bargaining pursuant to local governing board authorization.

DEMOGRAPHIC ANALYSIS

Each year the Center attempts to determine the number of college faculty represented by certified collective bargaining agents. While we believe that the total reported, 226,875, is reasonably accurate, several compilation problems should be noted. Listed below are some that we believe are endemic to our task and which should be considered when accessing this data:

1. Collective bargaining units are not generally identified according to number of employees involved but instead, are comprised mainly of titles. For example, a bargaining unit certificate will state that all instructors are to be included without specifying a total. Therefore, there is no way of knowing the exact unit size without an up-to-date semester accounting by an institution's personnel or labor relations department.

2. The number of adjunct faculty is enrollment driven and as a result, widespread fluctuations may occur in any given semester. Since many units are comprised of full-time and adjunct faculty, therefore, without constant revision there is no one number that is valid for each semester.

3. There is no one generally accepted number of teaching faculty in the United States. While several government agencies attempt to tabulate this information, substantial time lags exist between data gathering and publication. (continued, p. 6)

SUMMARY OF ELECTIONS - 1988

A. AGENTS ELECTED

Institution	State	Unit Size	Vote	Agent Elected	2/4 Year College
City Colleges of Chicago (Professional Staff)	IL	182	AFT-114 No Agent-1	AFT	2
Lewis & Clark University	OR	75	AAUP No Agent	Votes Impounded by NLRB	4
Rutgers State University of New Jersey (Adjunct Faculty)	NJ	450	AAUP-308 No Agent- 77 Contested-30	AAUP	4
Southern Illinois University-Edwardsville (Administrative Professional)	IL	225	NEA AFT No Agent	Votes Impounded by ILRB	4
Western Michigan University (Language Association)	MI	6	AAUP-6 No Agent-0	AAUP	4
William Rainey Harper College (Professional Staff)	IL	90	AFT-44 No Agent-31	AFT	2

B. CHANGE IN AGENT STATUS

Institution	State	Unit Size	Vote	New Agent	Former Agent	2/4 Year College
Colby Community College	KS	51	NEA/IND IND-6 No Agent-0	NEA/IND	IND	2
Marymount University	VA	51	AAUP-17 NEA-0	AAUP	NEA	4
New Jersey Institute of Technology	NJ	215	AAUP/IND-130 IND-46	AAUP/IND	IND	4
Palm Beach Community College	FL	194		UFF/NEA	AFT	2

C. CHALLENGE TO AGENT STATUS

No reported challenges to agent status whereby the existing agent maintained representation rights.

D. AGENTS DECERTIFIED

Institution	State	Unit Size	Vote	Agent Decertified	2/4 Year College
*University of Dubuque	IA	60	N/A	NEA	4

E. NO AGENT VOTES

Institution	State	Unit Size	Vote	Agent Defeated	2/4 Year College
Connecticut Tech. College (Adjunct Faculty)	CT	122	No Agent-46 AFT-35	AFT	2
Grand Valley State University	MI		No Agent-152 MEA-65 Challenged-4	MEA	4
Southern Illinois Univ.-Carbondale (Faculty)	IL	987	No Agent-588 NEA-224 AFT/AAUP-175	NEA, AFT/AAUP	4
Southern Illinois Univ.-Carbondale (Administrative Professional Staff)	IL	225	No Agent-121 NEA-74 AFT/AAUP-30	NEA, AFT/AAUP	4
Southern Illinois Univ.-Edwardsville (Faculty)	IL	482	No Agent-189 NEA-128 AFT/AAUP-123 Challenged-11	Still Pending	4
Southern Illinois Univ.-Edwardsville (Dental School)	IL	42	No-Agent-27 NEA-15 AFT/AAUP-0	NEA, AFT/AAUP	4

F. FIRST CONTRACTS SIGNED IN 1988

Institution	State	Unit Size	Agent	Contract Expiration	2/4 Year College
Hocking Technical College	OH	51	OEA/NEA	12/31/90	2
Sangamon State University	IL	163	AFT	6/30/89	4
University of Maine System (Adjunct Faculty)	ME	302	PATFA/AFT	8/31/89	4
University of Wisconsin-Madison (Teaching, Prog. & Proj. Assts.)	WI	2400	TAA/AFT	6/30/89	4

This year's increase of 6.18 percent in the number of faculty represented by collective bargaining agreements is, by every likely account, somewhat inflationary. Several reasons, most notably, improved reporting procedures by local institutions probably account for this. It is significant to note, however, that increases are still being reported in a period when the American labor movement is in decline. Although the Directory includes data pertaining to collective bargaining in Canada, the demographic analysis applies only to colleges in the United States.

FIRST CONTRACT SIGNED

Four institutions entered into their initial agreement with elected bargaining agents during 1988. In each case, the unit had been certified in previous years, however, a time lag remains between certification and the ratification of the agreement. Set forth below are the first contracts signed in 1988 and the year the agent was certified: Hocking Technical College (1986), Sangamon State University (1986), University of Maine System Adjunct Faculty (1986) and the University of Wisconsin-Madison, Teaching Program and Project Assistants (1987).

SUMMARY AND CONCLUSIONS

While no one major event controlled CBHE in 1988, several points should be noted when trying to develop an understanding of the past year. The three national unions met with little success in organizing new faculty bargaining units. No unrepresented unit of tenure-stream, full-time faculty elected collective bargaining. The newly organized units consist of professional staff, adjunct faculty and certain small specialized groups. This is the second consecutive year in which no full-time faculty units have been organized.

Illinois was the major area in which union organizing activity occurred. A total of five elections were held on the campuses of Southern Illinois University at Carbondale and Edwardsville, none of which have yet resulted in the election of a bargaining agent. It should be noted that a run-off election has been scheduled in one of these elections, while in another, the ballots were impounded by the Illinois Labor Relations Board. The elections at Illinois are also indicative of inter-union rivalry. In both faculty elections, the three national unions were on the ballot. If one adds the total pro-bargaining vote at SIU-Edwardsville, it should be noted that the NEA, AFT and AAUP would have defeated "No Agent" by a vote of 251-189. Instead, the pro-faculty vote was divided in half which resulted in the necessity of a run-off election. Illinois did mark the emergence of a coalition between the AAUP and the AFT, however, until such time as the three national unions can resolve certain jurisdictional questions, it appears they will continue to wage battle with each other for faculty representation rights.

The absence of any new legislation in 1988, poses long-range problems for those supportive of faculty unionization. In states where legislation has existed since the late 1970's, it appears that most of the eligible faculty who have expressed an interest in collective bargaining already do so. This is not to suggest that the organizing frontiers are now closed, however, it should be noted that there is a positive correlation between public sector legislation and unionization. As a result, the absence of new legislation might create a negative growth factor. Furthermore, new organizing drives appear to be directed toward adjunct faculty and professional support groups. This might result in coalitions and alliances between organized faculty and other segments of the college community that have yet to be addressed.

The number of "changes and challenges to agent status" appears to be diminishing, however, there were four successful "raids" conducted in 1988. The NEA was successful in entering into two new coalitions and obtained locals at Colby Community College and Palm Beach Community College. They did, however, lose an existing unit, Marymount University, to the AAUP. In the fourth such change, the AAUP entered into a coalition with an Independent for union bargaining rights at the New Jersey Institution of Technology. As we have noted previously, inter-agent rivalry continues and if the faculty election at SIU-Edwardsville is any indication, the unions will continue to pay a heavy price for it.

Private sector organizing is dormant due primarily to Yeshiva. There were only two bargaining unit elections conducted at private universities in 1988; Lewis and Clark, where the votes were impounded by the NLRB pending a Yeshiva determination and Marymount University where a change in affiliation occurred. The only other unionization activity at a private institution was the decertification at the University of Dubuque. CBHE remains, overwhelmingly, a public sector phenomenon.

While it is difficult to predict the future of CBHE, certain trends appear noteworthy. Private sector faculty collective bargaining will probably continue to diminish. Absent a reversal of Yeshiva, which appears doubtful at this time, or new legislation amending the NLRA to permit a Yeshiva exclusion, little or no prospect appears likely for private sector faculty bargaining. Second, Yeshiva appears to be limited to the private sector. This is significant when we note that approximately 85 percent of certified faculty bargaining agents are in the public sector. Third, unions will continue to compete with each other for new units. Considering the limited size of the market, the amount of inter-union rivalry remains high. Fourth, unions appear to be moving toward widespread organizing activities of adjunct faculty and support staff units. This will place new pressure on them as what was once a relatively homogeneous membership begins to dissipate.

In sum, over 30 percent of the nation's colleges and universities bargain collectively and for those institutions, the process remains viable.

FACULTY WORK STOPPAGES - 1988

Three faculty work stoppages were reported for the 1988/89 fall semester. This was the same number reported in the fall semester 1987/88 and may be indicative of a lessening of strike activity. All three strikes were "repeat" strikes as the faculties had engaged in prior strikes. The unit sizes involved in these strikes were somewhat larger than in previous years while the mean length was 8.8 days. There was also one reported spring semester stoppage at Lower Columbia College in Washington State. The 1988 community college strikes were of brief duration, 2.5 days, while the four-year institutions engaged in longer stoppages, the mean length being 11.5 days.

STRIKE REPORT

Set forth below is a brief description of each reported stoppage:

A. **HOFSTRA UNIVERSITY** The AAUP local at Hofstra engaged in a 9-day work stoppage over the issues of salary and release-time. The parties negotiated a 3-year successor agreement covering the 443 members of the bargaining unit. Previous strikes occurred at Hofstra in 1979 (1 day) and 1985 (6 days). The faculty at Hofstra have been represented by AAUP since 1973.

B. **MIDDLESEX COUNTY COLLEGE** The AFT local at Middlesex County College engaged in a 3-day strike over the issues of salary and retirement. The strike was resolved under the directions of a court-appointed arbitrator. The parties negotiated a 3-year successor agreement covering the 250 members of the bargaining unit. A previous strike occurred at Middlesex in 1972 (4 days). The AFT unit at Middlesex was first organized in 1968.

C. **WAYNE STATE UNIVERSITY** The AAUP local at Wayne State University engaged in a 14-day strike over the issue of salary. The clerical workers union (UAW) struck the university prior to the faculty work stoppage. During the two weeks of the faculty strike, both units, faculty and clerical were involved in work stoppages. A successor agreement was negotiated covering the 1425 faculty bargaining unit. This was the fifth faculty work stoppage at Wayne. Previous strikes occurred in 1976 (23 days), 1978 (2 days), 1980 (23 days), and 1986 (1 day). The AAUP have represented the faculty since 1972.

D. **LOWER COLUMBIA COLLEGE** The faculty at Lower Columbia College engaged in a 2-day work stoppage during the 1988 spring semester. The bargaining unit consists of 82 full-time faculty and has been represented by an independent association since 1981.

Table One provides data on work stoppages in 1988, while Table Two is a compilation of all fall semester strikes from 1977-1988. A statistical summary of faculty work stoppages, including frequency and duration, is provided in Table Three.

TABLE ONE

FACULTY WORK STOPPAGES – 1988

Institution	Agent	2/4 Yr.	Length (Work Days)
Hofstra University (NY)	AAUP	4	9
Lower Columbia College (WA)	IND	2	2
Middlesex County College (NJ)	AFT	2	3
Wayne State University (MI)	AAUP	4	14

Source: NCSCBHEP

TABLE TWO

"BACK-TO-SCHOOL STRIKES" - FALL SEMESTER 1977-1988

Fall Semester	Number of Strikes
1977	6
1978	10
1979	11
1980	8
1981	4
1982	0
1983	2
1984	6
1985	6
1986	9
1987	3
1988	3

Source: NCSCBHEP

TABLE THREE
FACULTY WORK STOPPAGES IN TWO- AND FOUR-YEAR INSTITUTIONS
1966-1988

Year	Number of Stoppages		Duration			
	2-Year	4-Year	2-Year		4-Year	
			Mean	Median	Mean	Median
1966	3	1	3	3	150	150
1967	5	1	16.8	13	5	5
1968	1	2	15	15	16.5	16.5
1969	5	1	20.6	21	51	51
1970	3	0	16.7	21	0	0
1971	2	1	15	15	16	16
1972	5	0	22	20	0	0
1973	7	1	21.6	14	42	42
1974	6	3	18.5	12.5	7.7	8
1975	7	2	8.6	9	5	5
1976	4	4	18.5	18.8	7	2
1977	6	7	13.5	9	13.4	18
1978	5	5	11.4	7	6	3
1979	6	7	14.2	12	10.7	10
1980	5	3	9.6	8	22.7	23
1981	3	4	17.3	23	11.8	12.5
1982	4	0	28.8	18	0	0
1983	3	1	10.3	7	2	2
1984	7	2	9.6	3	8.5	8.5
1985	2	4	4	4	6	5
1986	6	6	28	13.5	8.8	10.5
1987	0	3	0	0	2.33	2
1988	2	2	2.5	2.5	11.5	11.5
TOTAL	97	60	15.3	12.5	13.9	10

Source: NCSCBHEP

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